

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

WAUKEEM T. WILLIAMS,
#27151-078

v.

UNITED STATES OF AMERICA

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Case No. 6:19-cv-399-JDK-JDL

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Movant Waukeem Trevor Williams, a prisoner confined at FCI Texarkana, proceeding pro se, moved to vacate, set aside, or correct his federal sentence pursuant to 28 U.S.C. § 2255. The motion was referred to United States Magistrate Judge, the Honorable John D. Love, for findings of fact, conclusions of law, and recommendations for disposition.

On November 13, 2020, Judge Love issued a Report recommending that the Court deny Williams's motion and dismiss this case with prejudice. Docket No. 9. Judge Love also recommended denying a certificate of appealability sua sponte. After an extension of time, Williams timely objected. Docket No. 14.


Where a party objects within fourteen days of service of the Report and Recommendation, the Court reviews the objected-to findings and conclusions of the Magistrate Judge de novo. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en*

banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, Williams's objections largely fail to address the issues analyzed in the Report—specifically, that Williams entered his guilty plea knowingly, voluntarily, and intelligently; and that Williams failed to show ineffective assistance of counsel. Regardless, the Court has conducted a careful de novo review of the record and the Magistrate Judge's proposed findings and recommendations. Based on that review, the Court has determined that the Report of the United States Magistrate Judge is correct, and Williams's objections are without merit.

The Court therefore **OVERRULES** Williams's objections (Docket No. 14) and **ADOPTS** the Report and Recommendation of the Magistrate Judge (Docket No. 9) as the opinion of the District Court. It is therefore **ORDERED** that William's § 2255 motion is **DENIED**, and this action is **DISMISSED** with prejudice. Finally, the Court hereby **DENIES** Williams a certificate of appealability sua sponte.

So **ORDERED** and **SIGNED** this 12th day of **January, 2021**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE